

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – PR&RD Dept. – Allegation of creating false MB records and withdrawing an amount of Rs.6,36,246/- in construction of Division Office building at Mancherla (M) of Adilabad District– Sri K. Bhaskar, Superintendent, PR Division, Asifabad - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 (Telangana Adaptation) order, 2016 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 498

Dated: 18-07-2016

ORDER:

It is proposed to hold an enquiry against Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 (Telangana Adaptation) order, 2016.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II&III).

3. Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, is further informed that if he does not submit his written statement of defence on or before the Period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 (Telangana Adaptation) order, 2016 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 (Telangana Adaptation) order, 2016, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K. Bhaskar, Superintendent, Panchayat Raj Division, Asifabad, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 (Telangana Adaptation) order, 2016.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Bhaskar, Superintendent, PR Division, Asifabad through the Engineer-in-Chief,
Panchayat Raj, Hyderabad
The Engineer-in-Chief, Panchayat Raj, Hyderabad.
(in duplicate with a request to serve and return the dated acknowledgement copy)
SF/SC

//FORWARDED ::BY ORDER//

SECTION OFFICER

ANNEXURE –I

(Annexure to G.O.Rt.No.498 , PR&RD (Vig.I) Dept., dt.18.07.2016)

Statement of draft articles of charge framed against Sri K. Bhaskar, Superintendent, Panchayat Raj Division Asifabad.

Charge I:

That the said Sri K. Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs by not initiating any notices to the contractor for slow progress of work and by processing all the four bills (3 part bills and 1 final bill) to the contractor after the agreement period without any sanction of Extension of Agreement Time.

Basis: The Executive Engineer, PR, V&QC, Nirmal has conducted an enquiry and submitted his report dt. 14.03.2016 in the matter, which states that the said work was sanctioned for Rs. 10.00 lakhs under ZP General Funds. The said work was entrusted to Sri D. Ramulu, Contractor on tender basis at 28.00% less vide agmt No. HD/SHAPE-II/23/2005-06 dt. 31.01.2006, with date of completion as 30.04.2006. It is observed no notices were issued to the contractor, no extension of agreement time was taken and all the four bills are paid to the contractor after the agreement period. The total value of work done by the contractor from the four bills till 21.12.2006 is Rs. 6,35,747/-. Thereby Sri K.Bhaskar, Superintendent has violated the departmental procedures in vogue and not discharged the official duties properly.

Hence the charge.

Charge II:

That the said Sri K. Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for not processing any termination orders for the agreement, but taken up the work departmentally and for not closing the work done by the contractor and for not getting the approval of work to be done estimate, released FSD/ASD and then EMD to the contractor without completion of work by him.

Basis: The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that as per the records made available to him, no termination orders are issued to the agreement of the contractor, permitted the execution of work departmentally without closing the work done, without approval of the work to be done estimate. Further based on the request dt. 02.12.2006 of the contractor, released the FSD/ASD on 21.12.2006 and EMD on 30.08.2007 to the contractor without completion of the work by him. Thereby Sri K.Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad has not properly guided, violated the departmental procedures in vogue and grossly neglected his official duties.

Hence the charge.

Charge III:

That the said Sri K. Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherial" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for not guiding properly in permitting the balance work departmentally at estimated rates against the earlier agreement at 28.00% less rates, thereby causing financial loss to the Government to a tune of about Rs. 1,51,829/-.

P.T.O

Basis: The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that balance work is executed departmentally at estimated rates whereas the original agreement was at 28.00% less rates. The payment for departmental execution was made in 2 bills amounting to Rs. 5,42,247/-, 28.00% less of which will be Rs. 1,51,829/-. The balance work was taken up departmentally without going in for tenders. Thereby Sri K.Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad has not properly guided, violated the departmental procedures in vogue and not discharged the official duties properly.

Hence the charge.

Charge IV:

That the said Sri K. Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad during 2006-07 has violated the departmental procedures in the execution of the work "Construction of PR Sub Division Office at Mancherla" of Adilabad Dist sanctioned under ZP General Funds for Rs. 10.00 lakhs for deviating the departmental procedures and because of the lapses in the procedure followed, the contractor is claiming that the total work is done by him only and the amount is not paid to him, instead the Engineering Wing have drawn Rs. 6,36,246/- and used.

Basis: The Executive Engineer, V&QC, Nirmal has enquired into the matter and submitted his report which states that the balance work is executed departmentally, two bills are claimed for the departmental execution with recorded/checkmeasured dates from 12.09.2006 to 27.12.2006 (against the date of submission 21.12.2006 of 4th bill paid to the contractor). The Executive Engineer permitted the Deputy Executive Engineer to take up the work departmentally vide Proc. Dt. 25.09.2006. The work to be done departmentally was approved on 09.02.2007. Total value of work done by the department as per the two bills claimed is Rs. 5,42,247/-. Though the contractor has simply accepted the release of FSD/ASD/EMD without claiming then for the pending amount, since the checkmeasurement dates are before the application of the contractor dt. 02.12.2006, it appears that the work is completed by the contractor and the department people have cooked the records and resulting in claim by the contractor. There are lapses in the procedure followed and thereby Sri K.Bhaskar, Superintendent (PR) Division Asifabad, while functioning as the Superintendent (PR) Division Asifabad has not discharged the official duties properly.

Hence the charge.

//FORWARDED ::BY ORDER//

SECTION OFFICER

ANNEXURE –II

(Annexure to G.O.Rt.No.498 , PR&RD (Vig.I) Dept., dt.18.07.2016)

List of documents by which the articles of charge framed against Sri K.Bhaskar,Superintendent (PR) Division Asifabad.

Lr.No.AE/Nirmal/DEE VQC /Creating false reports/2015 dated 14.3.2016 of EE,V&QC Division, Nirmal.

//FORWARDED ::BY ORDER//

SECTION OFFICER

ANNEXURE –III

(Annexure to G.O.Rt.No.498 , PR&RD (Vig.I) Dept., dt.18.07.2016)

List of Witness by which the articles of charge framed against Sri K.Bhaskar,Superintendent (PR) Division Asifabad.

-Nil-

//FORWARDED ::BY ORDER//

SECTION OFFICER